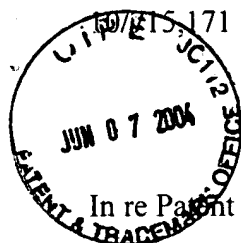


IFW

PATENT

-1-



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

James J. Farrell

Application No.: 10/715,171

Filed: November 17, 2003

For: RINSEABLE SPLASH SHIELD AND
METHOD OF USE

Group Art Unit: 1723

Examiner: Unknown

**INFORMATION DISCLOSURE
STATEMENT**

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900

M/S AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: M/S Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2004.

STALLMAN & POLLOCK LLP

Dated: 06/04/04

By: Marsha A. Townsend
Marsha A. Townsend

Sir:

Applicant submits herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

Atty Docket No.: FRLL-710

known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in a prior application no. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (h) ☐ not given

- (i) ☐ given for each listed item
- (j) ☒ given for only non-English language listed item. Specifically, the U.S. counterpart (U.S. Patent No. 3,865,353) to DE 2158002 is enclosed.
- (k) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

- ☒ The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. FRLL-710 for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

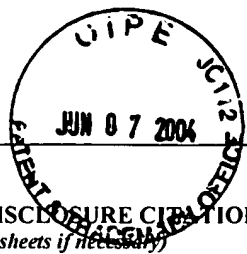
Respectfully submitted,
STALLMAN & POLLOCK LLP

Dated: 6/4/04

By: Kathleen A. Frost

Kathleen A. Frost Reg. No. 37,326

Attorneys for Applicant(s)



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional) FRL-710	Application Number 10/715,171
Applicant(s) James J. Farrell	
Filing Date November 17, 2003	Group Art Unit 1723

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	*496,674	05/02/1893	Urbach			02/06/1893
	AB	*934,537	09/21/1909	Johnson			01/23/1909
	AC	*1,313,830	08/19/1919	Minsk			05/06/1919
	AD	*1,560,826	11/10/1925	Kirschbraun	366	168.1	04/24/1924
	AE	*1,847,226	03/01/1932	Ringwald	366	207	10/14/1929
	AF	*1,911,202	05/30/1933	Nielsen	366	207	09/19/1931
	AG	*1,913,210	06/06/1933	Parker	366	207	09/30/1927
	AH	*2,003,259	05/28/1935	Gilbert et al.	366	207	01/04/1933
	AI	*2,012,486	08/27/1935	Strauss	366	199	09/10/1932
	AJ	*2,026,240	12/31/1935	Luxmore	259	99	08/03/1933
	AK	*2,031,770	02/25/1936	Gilbert et al.	366	199	12/30/1932
	AL	*2,072,691	03/02/1937	Stark	99	60	12/26/1933
	AM	*2,115,809	05/03/1938	Goldman	259	99	06/04/1935
	AN	*2,667,423	01/26/1954	Simpson	99	171	10/05/1951
	AO	*2,668,765	02/09/1954	Stimpson	99	55	11/02/1951
	AP	*2,701,131	02/01/1955	Love	259	126	08/01/1952
	AQ	*2,863,776	12/09/1958	Lisher	99	136	08/04/1954
	AR	*2,898,094	08/04/1959	O'Neill, Jr.	259	116	01/16/1956
	AS	*2,941,885	06/21/1960	Tomlinson	99	54	02/18/1957
	AT	*2,967,433	01/10/1961	Phillips	74	16	02/15/1957
	AU	*3,154,123	10/27/1964	Tomlinson	146	68	02/24/1959
	AV	*3,171,635	10/16/1961	Haentjens et al.	259	4	10/16/1961
	AW	*3,295,997	01/03/1967	Tomlinson et al.	99	275	12/19/1963
	AX	*3,365,304	01/23/1968	Guterman et al.	426	565	11/16/1964
	AY	*3,503,757	03/31/1970	Rubenstein	99	136	03/29/1966
	AZ	*3,514,080	05/26/1970	Price et al.	259	19	08/16/1968
	BA	*3,647,472	03/07/1972	Speech et al.	99	34	05/08/1970
	BB	*3,665,722	05/30/1972	Cornelius	62	68	09/29/1970
	BC	*3,738,619	06/12/1973	Shirae	259	108	05/05/1970
	BD	3,865,353	02/11/1975	Fischer	259	118	11/21/1972
	BE	*3,889,002	06/10/1975	Clausi et al.	426	576	06/08/1973
	BF	*3,922,361	11/25/1975	Vann	426	599	01/04/1974
	BG	*3,939,001	02/17/1976	Clausi et al.	106	136	08/01/1974
	BH	*3,949,098	04/06/1976	Bangert	426	324	06/05/1974

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BI	2158002	05/24/1973	Germany				X

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

	BJ	Product literature for Hamilton Beach Models 936 P and 908. 4/92.
	BK	Arbuckle, "Ice Cream," 3 rd Edition pp. 54-55, 323-331. 1977.

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) FRLL-710	Application Number 10/715,171
	Applicant(s) James J. Farrell	
	Filing Date November 17, 2003	Group Art Unit 1723

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	BL	*4,096,893	06/27/1978	Harvey, Jr. et al.	141	90	10/04/1976
	BM	*4,169,681	10/02/1979	Kato	366	244	11/06/1974
	BN	*4,358,298	11/09/1982	Ratcliff	55	185	09/10/1981
	BO	*4,434,186	02/28/1984	Desia et al.	426	565	01/04/1983
	BP	*4,544,277	10/01/1985	Schnellmann	366	78	06/27/1983
	BQ	*4,547,076	10/15/1985	Maurer	366	244	03/11/1985
	BR	*4,708,487	11/24/1987	Marshall	366	206	11/24/1987
	BS	*4,828,866	05/09/1989	Wade et al.	426	599	07/20/1988
	BT	*4,842,884	06/27/1989	Bookwalter et al.	426	585	05/02/1988
	BU	*5,114,045	05/19/1992	Herpe	222	105	10/26/1989
	BV	*5,145,250	09/08/1992	Planck et al.	366	8	06/15/1990
	BW	*5,150,967	09/29/1992	Neilson et al.	366	206	10/25/1991
	BX	*5,328,263	07/12/1994	Neilson	366	254	04/05/1993
	BY	*5,439,289	08/08/1995	Neilson	366	207	06/28/1994
	BZ	*5,580,007	12/03/1996	Caviezel et al.	241	199.12	05/20/1994
	CA	*5,599,103	02/04/997	Linscott	366	343	05/10/1996
	CB	*5,962,060	10/05/1999	Farrell	426	565	05/17/1996
	CC	*5,803,377	09/08/1998	Farrell	241	36	02/05/1997
	CD	*6,326,047 B1	12/04/2001	Farrell	426	524	05/30/1997
	CE	*6,474,862 B2	11/05/2002	Farrell	366	147	11/13/2001

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	